

nary an exception. OK, there is one. So far, the health care industry seems immune to the discipline of competition.

Nowhere is that more evident with respect to pharmaceutical drugs.

The question today is, Will we once again offer a prescription drug importation bill that will save consumers and the Federal Government \$100 billion; that contains safety standards that do not exist even in the domestic drug supply; that will not pose risk but, in fact, reduces risk, reduces prices for the American people, provides fair pricing for American consumers? Will we be able to vote for that legislation that I and Senator MCCAIN, Senator GRASSLEY, Senator STABENOW, Senator KLOBUCHAR, and so many others have brought to the floor of the Senate? The answer is, yes; we are going to vote on that.

The question is, In the 7 days since I have offered this amendment, has the pharmaceutical industry been able to pry enough people away from this amendment because they are raising all kinds of issues of safety?

How many votes will we get? By the way, the side-by-side amendment is a killer amendment. We will have a second vote. A lot of people will say: We will vote for the Dorgan amendment and then vote to nullify it by voting for the Lautenberg amendment.

Let me read the AARP letter which was sent yesterday:

On behalf of the AARP's nearly 40 million members, we urge you to support the Dorgan-Snowe importation amendment to . . . H.R. 3590, the Senate health care reform legislation. This amendment provides for the safe, legal importation of lower-priced prescription drugs from abroad. CBO has scored the amendment as saving taxpayers more than \$19 billion.

That is just for the Federal Government. There is much more for consumers.

We also urge you to vote against an alternative importation amendment proposed by Senators Lautenberg, Carper, and Menendez. AARP strongly opposes this amendment because it includes the unnecessary addition of a certification requirement which is simply a thinly veiled effort to undermine importation and preserve the status quo of high drug prices.

So there it is. We are always told this bill is a finely crafted piece; it is like embroidering with some sophisticated colors. This is a finely crafted piece and don't mess with it because if you adopt your amendment, somehow the whole thing is going to come apart. It is like pulling a thread on a cheap suit. You pull the thread and an arm falls off. God forbid anybody should adopt an amendment such as this.

Here we are 7 days after I offered this amendment, and we have a circumstance where we now have a side-by-side in order to try to nullify it. We have had all kinds of dealing going on. I have not been a part of it. I don't know what the deals are. I don't know what time they were consummated. Somebody told me late last night. I am like an old Senator who served long

ago. I am not part of any deal. I am not part of it. This deal is for the American people.

We are going to pass some health care legislation, and then we are going to shuffle around with our hands in our pockets, maybe thumbing our suspenders, sticking out our shined shoes, and say: We did this all right. We feel really good about it, but we couldn't do a thing about prescription drug prices. We couldn't do that. We didn't have the support because the pharmaceutical industry wouldn't let us. Oh, really? Maybe at last—at long, long last—there will be sufficient friends on this vote on behalf of the American people to say: We stand with the consumer. We are standing with the American consumers today. We like the pharmaceutical industry. We want them to produce prescription drugs. We want them to make profits. We just don't want them to charge us 10 times, 5 times, 3 times, or double what is being charged others in the world for the identical prescription drug because we don't think it is fair to the American people.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 13½ minutes.

Mr. DORGAN. Mr. President, let me at this point yield the floor. I suggest the absence of a quorum. I don't know whether the Senator from New Jersey has other speakers. I believe we have a couple other speakers who will be here. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent that the quorum call be charged against both sides.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Mr. President, there was an objection to having the time equally divided expressed by the Senator from Iowa before.

How much time is available on our side, Mr. President?

The PRESIDING OFFICER. The Senator from New Jersey has 7 minutes.

Mr. LAUTENBERG. Seven?

The PRESIDING OFFICER. Yes, 7 minutes.

Mr. LAUTENBERG. Mr. President, I, too, have people who want to speak to the issue. If we can equally divide the quorum call, that is all right with me. I have no objection.

Mr. DORGAN. I believe the quorum call will be momentary. We have people coming to speak. If not, I will take some additional time, as perhaps will the Senator from New Jersey. I suggest the absence of a quorum and ask unanimous consent that it be charged to all sides equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I did not speak about the letter from the Food and Drug Administration. My colleagues have described this letter, which I said could have come out of a copying machine. A similar letter has come each time we consider this legislation. It is interesting to me that we export a lot of American jobs. All kinds of jobs are leaving our country. Then we import contaminated wallboard, children's toys that kill kids. And, yes, that has happened. We import contaminated pet food and contaminated toothpaste. We import 85 percent of the seafood into this country every day—85 percent of the seafood—and 1 percent is inspected, by the way. One percent of that seafood is inspected. The rest is not.

We import fruits and vegetables. I am wondering if the Food and Drug Administration is sending letters around with concern about the risk to health of fruits and vegetables and seafoods that are not inspected.

In many places, these products are produced with insecticides and various things that would not be permitted in this country. I am wondering where the FDA's letter is with respect to that.

I called the Food and Drug Administration. I talked with the head of the FDA. I said: I understand there are rumors around that you are going to send a letter here. This was 24 hours before the letter came.

The head of the FDA said: I know nothing of such a letter.

My question is, Where did the letter come from? Who prompted the letter? I think I know.

I find it interesting, I don't see anybody at the FDA sending letters here about the issue of safety on fruits, vegetables, and fish. They raise the issue of safety with respect to a drug importation bill which has the most specific and the most rigorous safety standards not only for imported drugs but for the existing domestic drug supply, the kind of safety standards that the pharmaceutical industry has objected to for many years.

Mr. LAUTENBERG. Will the Senator yield for a question?

Mr. DORGAN. Of course, I will be happy to yield.

Mr. LAUTENBERG. I know Senator DORGAN very well. He is a man of great principle and skill, I might say. But I say the list of aberrations, the lack of care about the various products—the toys, wallboards, and food—I have had a great interest in those items. It is interesting that it is being suggested by the Senator from North Dakota that is an acceptable standard and we ought to go ahead and continue it.